UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GLORIA D. WISEMAN, 　　　　　PLAINTIFF, v. ING GROEP, N.V., VOYA FINANCIAL, INC., AND RELIASTAR LIFE INSURANCE COMPANY OF NEW YORK, 　　　　　DEFENDANTS.	NO. 1:16-CV-07587 (AJN) **NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that Defendants Voya Financial, Inc. and ReliaStar Life Insurance Company of New York, by undersigned counsel, will move this Court, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date to be determined by the Court, for an order dismissing with prejudice the Complaint for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6), and granting such other relief as may be proper. In support, Defendants Voya Financial, Inc. and ReliaStar Life Insurance Company of New York rely on the Complaint, and the Memorandum of Law and Declaration of Michael T. Leigh and exhibits attached thereto, filed concurrently herewith.

(Signature on next page.)

Respectfully submitted,

Dated: November 23, 2016
      Louisville, Kentucky

/s/ Michael T. Leigh

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CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2016 I served the foregoing document on all counsel of record through CM/ECF, and on the following by email:

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